

MORGAN, LEWIS & BOCKIUS LLP

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New York, New York 10178-0600
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- and -

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Telephone: (617) 341-7716
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Laura McCarthy, Esq.

Hearing Date: February 4, 2019 at 10:00 a.m.
Objection Deadline: January 26, 2019 at 4:00 p.m.

Counsel to Kimco Realty Corporation

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X	
In re	:
	:
	: Chapter 11
SEARS HOLDINGS CORPORATION, et al.,	:
	:
	: Case No. 18-23538 (RDD)
	:
Debtors.¹	: (Jointly Administered)
-----X	

**AMENDED OBJECTION AND JOINDER OF LANDLORD TO THE DEBTORS'
NOTICE OF CURE COSTS AND POTENTIAL ASSUMPTION AND ASSIGNMENT OF
EXECUTORY CONTRACTS AND UNEXPIRED LEASES**

Kimco Realty Corporation and certain of its affiliates (collectively, "Kimco"), by its attorneys, Morgan, Lewis & Bockius, LLP, file this Amended Objection and Joinder in response to Debtors' *Notice of Successful Bidder and Sale Hearing* filed on January 18, 2019 (the "Sale

¹The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are as follows: Sears Holdings Corporation (0798); Kmart Holding Corporation (3116); Kmart Operations LLC (6546); Sears Operations LLC (4331); Sears, Roebuck and Co. (0680); ServiceLive Inc. (6774); A&E Factory Service, LLC (6695); A&E Home Delivery, LLC (0205); A&E Lawn & Garden, LLC (5028); A&E Signature Service, LLC (0204); FBA Holdings Inc. (6537); Innovel Solutions, Inc. (7180); Kmart Corporation (9500); MaxServ, Inc. (7626); Private Brands, Ltd. (4022); Sears Development Co. (6028); Sears Holdings Management Corporation (2148); Sears Home & Business Franchises, Inc. (6742); Sears Home Improvement Products, Inc. (8591); Sears Insurance Services, L.L.C. (7182); Sears Procurement Services, Inc. (2859); Sears Protection Company (1250); Sears Protection Company (PR) Inc. (4861); Sears Roebuck Acceptance Corp. (0535); Sears, Roebuck de Puerto Rico, Inc. (3626); SYW Relay LLC (1870); Wally Labs LLC (None); Big Beaver of Florida Development, LLC (None); California Builder Appliances, Inc. (6327); Florida Builder Appliances, Inc. (9133); KBL Holding Inc. (1295); KLC, Inc. (0839); Kmart of Michigan, Inc. (1696); Kmart of Washington LLC (8898); Kmart Stores of Illinois LLC (8897); Kmart Stores of Texas LLC (8915); MyGofer LLC (5531); Sears Brands Business Unit Corporation (4658); Sears Holdings Publishing Company, LLC. (5554); Sears Protection Company (Florida), L.L.C. (4239); SHC Desert Springs, LLC (None); SOE, Inc. (9616); StarWest, LLC (5379); STI Merchandising, Inc. (0188); Troy Coolidge No. 13, LLC (None); BlueLight.com, Inc. (7034); Sears Brands, L.L.C. (4664); Sears Buying Services, Inc. (6533); Kmart.com LLC (9022); and Sears Brands Management Corporation (5365). The location of the Debtors' corporate headquarters is 3333 Beverly Road, Hoffman Estates, Illinois 60179.

Motion”) [Dkt. No. 1730], Debtors’ *Notice of Cure Costs and Potential Assumption and Assignment of Executory Contracts and Unexpired Leases* filed on January 18, 2019 (the “Initial Cure Notice”) [Dkt. No. 1731], and Debtors’ Supplemental Notice of Cure Costs [Dkt. No. 1774] (together with the Initial Cure Notice, the “Cure Notices”) respectfully state as follows:

1. Kimco restates and incorporates herein by reference its initial Objection and Joinder filed on January 25, 2019 at Dkt. No. 1839 (the “Initial Kimco Objection”).

2. Kimco hereby amends its objection to the proposed cure amount for Store Number 3978. Kimco became aware of new information regarding real estate taxes, which have not been billed to this particular Kmart store since 2014.

3. The Debtors’ asserted cure claim was \$15,134.80. Kimco previously reported the correct cure amount to be \$19,115.17. Kimco hereby amends the correct cure amount to add \$287,022.67 in unpaid real estate taxes for a total corrected cure amount of **\$306,137.84**, based on the real estate taxes which were not billed to Store 3978 since 2014.

4. Supporting documentation for this amount is attached hereto as **Exhibit A**.

5. As set forth above and in the Initial Kimco Objection, the Debtors have failed to sufficiently cure the arrearages for the subject leases. Consequently, the Sale Motion and Cure Notices must be denied as it relates to the cure amounts with respect to the subject leases.

6. Kimco reserves the right to supplement this Amended Objection and Joinder and make such other and further objections as may be necessary or appropriate.

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WHEREFORE, Kimco respectfully requests that this Court enter an order (i) denying without prejudice the proposed assumption and assignment of the subject leases, and (ii) granting such further and other relief as this Court may deem just and proper.

Dated: New York, New York
January 31, 2019

MORGAN, LEWIS & BOCKIUS LLP
Attorneys for Kimco Realty Corporation

By: /s/ Neil E. Herman
Neil E. Herman (NH-2513)

101 Park Avenue
New York, New York 10178
Tel: 212-309-6000
Fax: 212-309-6001
E-mail: neil.herman@morganlewis.com

- and -

Laura McCarthy, Esq.
Morgan, Lewis & Bockius LLP
One Federal Street - 32nd Fl
Boston, MA 02110-1726
Direct Phone: (617) 341-7716
Fax: (617) 341-7701
Email: laura.mccarthy@morganlewis.com

EXHIBIT A

Braelinn Village 1752, LLC
P.O. Box 6203
Hicksville, NY 11802-6203
USA

Sears Holdings Corp.
Att:VP Real Estate Dept 824RE
3333 Beverly Road
Hoffman Estates, IL 60179
USA

Invoice #	Bill Date
G0524386	JAN/30/2019
Amount Due	Due Date
73,424.85	Upon Receipt
Property ID	Lease ID
SGAP1752/	LKMAR//00
Unit ID	
100	

Please remit check payable to:

Braelinn Village 1752, LLC
P.O. Box 6203
Hicksville, NY 11802-6203
USA

Remove Coupon Above and Return with Your Payment

Tenant Name (DBA)	Unit ID	Store #	Property Name/Address
Kmart	100	STORE #3978	Braelinn Village

Service Description	Amount
Real Estate Tax Reconciliation 2017 Real Estate Tax Reconciliation	73,424.85
Invoice # G0524386 Date: JAN/30/2019 TERMS Due upon receipt Total Due:	\$ 73,424.85

For questions on your invoice, please contact Dawet Dagnachew at
704-362-6155 or DDagnachew@kimcorealty.com.
Please reference your Project ID and your Lease ID.
Please fax all inquiries to 704-367-0629.

Please remit check payable to:
Braelinn Village 1752, LLC
P.O. Box 6203
Hicksville, NY 11802-6203
USA

Recoverable Cost Computation Summary

RE: Project:	SGAP1752/ Braelinn Village	Date	1/30/2019
Tenant:	TSEARH000 Sears Holding Corporation	Page:	1
Lease:	LKVAR//00 Kmart		
Space:	001	Unit	100

Recovery Category:	T12	TAX Close Month - Dec	Recovery from	01/01/17	to	12/31/17
Current Year Tax Assessment						294,418.16
Current Year Tax Rate						24.94%
Charge Commencement Date						1/1/2015
Total Number of Tenant Recovery Days						365
Total Number of Days Cost Incurred						365
Tenant Recovery Days as Fraction of Total Days (365/365)						1.000000
Total Chargeable to Tenant						73,424.85
Less Amount Previously Billed for Period						0.00
Additional Amount Due or (Credit)						73,424.85

2017 Property Tax Statement

Kristie King
Fayette County Tax Commissioner
P. O. Box 70
Fayetteville, GA 30214

MAKE CHECK OR MONEY ORDER PAYABLE TO:
Fayette County Tax Commissioner

1752

BRAELINN VILLAGE 1752, LLC
3333 NEW HYDE PARK RD
SUITE 100
NEW HYDE PARK, NY 11042

Bill No.	Due Date	TOTAL DUE
2017-4259	01/15/2018	44,162.74

Map: 0611 009

Payment good through: 01/15/2018

Last payment made on: 10/16/2017

Printed: 12/15/2017

Location: 564 CROSSTOWN

ON-LINE PAYMENTS AT:
WWW.FAYETTECOUNTYTAXCOMM.COM
THERE WILL BE A FEE OF 2 1/2% IF PAID ONLINE.
YOUR NET MILLAGE RATE IS EQUAL TO YOUR COUNTY
SCHOOL OR CITY MILLAGE RATE LESS THE APPLICABLE
SALES TAX CREDIT.
REFER TO THE REVERSE SIDE OF YOUR TAX BILL FOR
INFORMATION ABOUT STATE AND LOCAL EXEMPTIONS.
IF THIS BILL IS MARKED "APPEAL" IT IS CALCULATED AT
85% VALUE. AN ADJUSTED BILL WILL BE ISSUED WHEN
YOUR APPEAL IS FINALIZED.

APPEAL SETTLED
Notify your mortgage
company if you have
an escrow account

20174259*

RETURN THIS PORTION WITH PAYMENT
(Interest will be added per month if not paid by due date.)

Kristie King
Fayette County Tax Commissioner
P. O. Box 70
Fayetteville, GA 30214



Tax Payer: BRAELINN VILLAGE 1752, LLC
Map Code: 0611 009 REAL
Description: CROSSTOWN RD
Location: 564 CROSSTOWN
Bill No: 2017-4259
District: 05 PEACHTREE CITY

Phone: (770) 461-3652 Fax: (770) 461-8443

Building Value	Land Value	Acres	Fair Market Value	Due Date	Billing Date	Payment Good Through	Exemptions	
14,718,100	8,230,250	44.7900	22,948,350	01/15/2018		01/15/2018		
Entity	Adjusted FMV	Net Assessment	Exemptions	Taxable Value	Millage Rate	Gross Tax	Credit	Net Tax
COUNTY M&O	22,948,350.00	9,179,340.00		9179340	6.4880	59,555.56		41,389.65
COUNTY SALES TAX CREDIT				9179340	-1.9790		-18,165.91	
911-SERVICES	22,948,350.00	9,179,340.00		9179340	.2100	1,927.66		1,927.66
COUNTY SCHOOL M&O	22,948,350.00	9,179,340.00		9179340	19.5000	178,997.13		178,997.13
COUNTY SCHOOL BOND	22,948,350.00	9,179,340.00		9179340	1.3500	12,392.11		12,392.11
CITY PEACH TREE CITY	22,948,350.00	9,179,340.00		9179340	9.3100	85,459.66		85,459.66
PEACH-TREE CITY SLS TX 2017				9179340	-3.0780		-28,254.01	
PTC-BOND	22,948,350.00	9,179,340.00		9179340	.2730	2,505.96		2,505.96
TOTAL					32.0740	340,838.08	-46,419.92	294,418.16

PAY BY THE DUE DATE TO AVOID PENALTY AND INTEREST CHARGES:

INTEREST WILL ACCRUE EACH MONTH AT AN ANNUAL RATE EQUAL TO 3% PLUS
THE FEDERAL PRIME RATE PUBLISHED AS OF JANUARY 1, EACH YEAR.
A 5% PENALTY WILL BE ADDED 120 DAYS AFTER THE DUE DATE AND AT EACH 120
DAY MARK UNTIL A 20% CAP IS REACHED.

Current Due	294,418.16
Penalty	0.00
Interest	0.00
Other Fees	0.00
Previous Payments	250,255.42
Back taxes	0.00
TOTAL DUE	44,162.74

Printed: 12/15/2017

2017 Property Tax Statement

Kristie King
Fayette County Tax Commissioner
P. O. Box 70
Fayetteville, GA 30214

Bill No.	Due Date	TOTAL DUE
2017-4259	11/15/2017	250,255.42

Map: 0611 009
Location: 564 CROSSTOWN

Payment Good Through: 11/15/2017
Printed: 09/07/2017

MAKE CHECK OR MONEY ORDER PAYABLE TO:
Fayette County Tax Commissioner

1752



AUTO MIXED AADC 373 123 131 29780 1 MB 0.423
BRAELINN VILLAGE 1752, LLC
3333 NEW HYDE PARK RD
SUITE 100
NEW HYDE PARK, NY 11042

ON-LINE PAYMENTS AT:
WWW.FAYETTECOUNTYTAXCOMM.COM

THERE WILL BE A FEE OF 2 1/2% IF PAID ONLINE.
YOUR NET MILLAGE RATE IS EQUAL TO YOUR COUNTY
SCHOOL OR CITY MILLAGE RATE LESS THE APPLICABLE
SALES TAX CREDIT.

REFER TO THE REVERSE SIDE OF YOUR TAX BILL
FOR INFORMATION ABOUT STATE AND LOCAL
EXEMPTIONS.

IF THIS BILL IS MARKED "APPEAL" IT IS
CALCULATED AT 85% VALUE. AN ADJUSTED BILL WILL BE
ISSUED WHEN YOUR APPEAL IS FINALIZED.

RETURN THIS PORTION WITH PAYMENT
(Interest will be added monthly if not paid by due date)

Kristie King
Fayette County Tax Commissioner
P. O. Box 70
Fayetteville, GA 30214

Phone: (770)461-3652 Fax: (770)461-8443



Tax Payer: BRAELINN VILLAGE 1752, LLC
Map Code: 0611-009 REAL
Description: CROSSTOWN RD
Location: 564 CROSSTOWN
Bill No: 2017-4259
District: 05 PEACHTREE CITY

Building Value	Land Value	Area	Fair Market Value	Due Date			Payment Good Through	Exemptions
14,718,100	8,230,260	44.7900	22,948,350	11/15/2017			11/15/2017	
Item	Special	Net	Exemptions	Adjusted Value	Millage	Gross Tax	Real	Net
COUNTY M&O	19,506,098.00	7,802,439.00	0.00	7,802,439.00	6.488	50,622.22	0.00	35,181.19
COUNTY SALES TAX CREDIT	19,506,098.00	7,802,439.00	0.00	7,802,439.00	-1.979	0.00	-15,441.03	0.00
911 SERVICES	19,506,098.00	7,802,439.00	0.00	7,802,439.00	.210	1,638.51	0.00	1,638.51
COUNTY SCHOOL M&O	19,506,098.00	7,802,439.00	0.00	7,802,439.00	19.500	152,147.56	0.00	152,147.56
COUNTY SCHOOL BOND	19,506,098.00	7,802,439.00	0.00	7,802,439.00	1.350	10,533.29	0.00	10,533.29
CITY -- PEACH TREE CITY	19,506,098.00	7,802,439.00	0.00	7,802,439.00	9.310	72,640.71	0.00	48,824.80
PEACH-TREE CITY SLS TX 2017	19,506,098.00	7,802,439.00	0.00	7,802,439.00	-3.078	0.00	-24,015.91	0.00
PTC-BOND	19,506,098.00	7,802,439.00	0.00	7,802,439.00	.279	2,130.07	0.00	2,130.07

APPEALED - TEMPORARY BILL

PAY BY THE DUE DATE TO AVOID PENALTY AND INTEREST CHARGES:

INTEREST WILL ACCRUE EACH MONTH AT AN ANNUAL RATE EQUAL TO 3% PLUS
THE FEDERAL PRIME RATE PUBLISHED AS OF JANUARY 1, EACH YEAR.
A 5% PENALTY WILL BE ADDED 120 DAYS AFTER THE DUE DATE AND AT EACH 120
DAY MARK UNTIL A 20% CAP IS REACHED.

Current Due	250,255.42
Penalty	0.00
Interest	0.00
Other Fees	0.00
Previous Payment	0.00
Back Taxes	0.00
TOTAL DUE	250,255.42

Braelinn Village 1752, LLC
P.O. Box 6203
Hicksville, NY 11802-6203
USA

Sears Holdings Corp.
Att:VP Real Estate Dept 824RE
3333 Beverly Road
Hoffman Estates, IL 60179
USA

Invoice #	Bill Date
G0524387	JAN/30/2019
Amount Due	Due Date
72,324.73	Upon Receipt
Property ID	Lease ID
SGAP1752/	LKMAR//00
Unit ID	
100	

Please remit check payable to:

Braelinn Village 1752, LLC
P.O. Box 6203
Hicksville, NY 11802-6203
USA

Remove Coupon Above and Return with Your Payment

Tenant Name (DBA)	Unit ID	Store #	Property Name/Address
Kmart	100	STORE #3978	Braelinn Village

Service Description	Amount
Real Estate Tax Reconciliation 2018 Real Estate Tax Reconciliation	72,324.73
Invoice # G0524387 Date: JAN/30/2019 TERMS Due upon receipt Total Due:	\$ 72,324.73

For questions on your invoice, please contact Dawet Dagnachew at
704-362-6155 or DDagnachew@kimcorealty.com.
Please reference your Project ID and your Lease ID.
Please fax all inquiries to 704-367-0629.

Please remit check payable to:
Braelinn Village 1752, LLC
P.O. Box 6203
Hicksville, NY 11802-6203
USA

Recoverable Cost Computation Summary

RE: Project:	SCAP1752/	Braelinn Village	Date	1/30/2019
Tenant:	TSEARH000	Sears Holding Corporation	Page:	1
Lease:	LKMAR//00	Kmart		
Space:	001		Unit	100

Recovery Category: T12	TAX Close Month - Dec	Recovery from	01/01/18	to	12/31/18
Current Year Tax Assessment					290,006.93
Current Year Tax Rate					24.94%
Charge Commencement Date					1/1/2015
Total Number of Tenant Recovery Days					365
Total Number of Days Cost Incurred					365
Tenant Recovery Days as Fraction of Total Days (365/365)					1.000000
Total Chargeable to Tenant					72,324.73
Less Amount Previously Billed for Period					0.00
Additional Amount Due or (Credit)					72,324.73

2018 Property Tax Statement

Kristle King
Fayette County Tax Commissioner
P. O. Box 70
Fayetteville, GA 30214

MAKE CHECK OR MONEY ORDER PAYABLE TO:
Fayette County Tax Commissioner



BRAELINN VILLAGE 1752, LLC
3333 NEW HYDE PARK RD
SUITE 100
NEW HYDE PARK, NY 11042

RETURN THIS PORTION WITH PAYMENT
(Amount will be added quarterly if not paid by due date)

Kristle King
Fayette County Tax Commissioner
P. O. Box 70
Fayetteville, GA 30214

Phone: (770) 481-8652 Fax: (770) 481-8443



Bill No.	Due Date	TOTAL DUE
2018-4312	11/15/2018	290,006.93

Map: 0811 009
Location: 684 CROSSTOWN

Payment Good Through: 11/15/2018
Printed: 09/28/2018

ON-LINE PAYMENTS AT:
WWW.FAYETTECOUNTYTAXCOMM.COM

THERE WILL BE A FEE OF 2 1/2% IF PAID ONLINE.
YOUR NET MILLAGE RATE IS EQUAL TO YOUR COUNTY
SCHOOL OR CITY MILLAGE RATE LESS THE APPLICABLE
SALES TAX CREDIT.

REFER TO THE REVERSE SIDE OF YOUR TAX BILL
FOR INFORMATION ABOUT STATE AND LOCAL
EXEMPTIONS.

IF THIS BILL IS MARKED "APPEAL" IT IS
CALCULATED AT 85% VALUE. AN ADJUSTED BILL WILL BE
ISSUED WHEN YOUR APPEAL IS FINALIZED.

Building Value	Land Value	Acres	Final Market Value	Due Date	Payment Good Through	Exemptions
14,526,100	8,230,250	44.7800	22,756,350	11/15/2018	11/15/2018	
COUNTY M&O	22,756,350.00	0.00	0.00	0.00	0.00	0.00
COUNTY SALES TAX CREDIT	22,756,350.00	0.00	0.00	0.00	0.00	0.00
911 SERVICES	22,756,350.00	0.00	0.00	0.00	0.00	0.00
COUNTY SCHOOL M&O	22,756,350.00	0.00	0.00	0.00	0.00	0.00
COUNTY SCHOOL BOND	22,756,350.00	0.00	0.00	0.00	0.00	0.00
CITY - PEACHTREE CITY	22,756,350.00	0.00	0.00	0.00	0.00	0.00
PEACHTREE CITY SALES TAX CRED	22,756,350.00	0.00	0.00	0.00	0.00	0.00
PTC-BOND	22,756,350.00	0.00	0.00	0.00	0.00	0.00
TOTAL	22,756,350.00	0.00	0.00	0.00	0.00	0.00



PAY BY THE DUE DATE TO AVOID PENALTY AND INTEREST CHARGES:

INTEREST WILL ACCRUE EACH MONTH AT AN ANNUAL RATE EQUAL TO 3% PLUS
THE FEDERAL PRIME RATE PUBLISHED AS OF JANUARY 1, EACH YEAR.
A 5% PENALTY WILL BE ADDED 120 DAYS AFTER THE DUE DATE AND AT EACH 120
DAY MARK UNTIL A 20% CAP IS REACHED.

Bill No: 2018-4312	
Current Due	290,006.93
Penalty	0.00
Interest	0.00
Other Fees	0.00
Previous Payment	0.00
Back Taxes	0.00
TOTAL DUE	290,006.93

Braelinn Village 1752, LLC
P.O. Box 6203
Hicksville, NY 11802-6203
USA

Sears Holdings Corp.
Att:VP Real Estate Dept 824RE
3333 Beverly Road
Hoffman Estates, IL 60179
USA

Invoice #	Bill Date
G0524384	JAN/30/2019
Amount Due	Due Date
66,450.52	Upon Receipt
Property ID	Lease ID
SGAP1752/	LKMAR//00
Unit ID	
100	

Please remit check payable to:

Braelinn Village 1752, LLC
P.O. Box 6203
Hicksville, NY 11802-6203
USA

Remove Coupon Above and Return with Your Payment

Tenant Name (DBA)	Unit ID	Store #	Property Name/Address
Kmart	100	STORE #3978	Braelinn Village

Service Description	Amount
Real Estate Tax Reconciliation 2015 Real Estate Tax Reconciliation	66,450.52
Invoice # G0524384 Date: JAN/30/2019 TERMS Due upon receipt Total Due:	\$ 66,450.52

For questions on your invoice, please contact Dawet Dagnachew at 704-362-6155 or DDagnachew@kimcorealty.com.
Please reference your Project ID and your Lease ID.
Please fax all inquiries to 704-367-0629.

Please remit check payable to:
Braelinn Village 1752, LLC
P.O. Box 6203
Hicksville, NY 11802-6203
USA

Recoverable Cost Computation Summary

RE: Project:	SGAP1752/ Braelinn Village	Date	1/30/2019
Tenant:	TSEARH000 Sears Holding Corporation	Page:	1
Lease:	LKVAR/00 Kmart		
Space:	001	Unit	100

Recovery Category: T12	TAX Close Month - Dec	Recovery from	01/01/15	to	12/31/15
Current Year Tax Assessment					266,452.59
Current Year Tax Rate					24.94%
Charge Commencement Date				1/1/2015	
Total Number of Tenant Recovery Days					365
Total Number of Days Cost Incurred					365
Tenant Recovery Days as Fraction of Total Days (365/365)					1.000000
Total Chargeable to Tenant					66,450.52
Less Amount Previously Billed for Period					0.00
Additional Amount Due or (Credit)					66,450.52

2015 Property Tax Statement

George Wingo
Fayette County Tax Commissioner
P. O. Box 70
Fayetteville, GA 30214

MAKE CHECK OR MONEY ORDER PAYABLE TO:
Fayette County Tax Commissioner

BRAELINN VILLAGE 1752, LLC
6060 PIEDMONT ROW DRIVE SOUTH
SUITE 200
CHARLOTTE, NC 28287

RETURN THIS PORTION WITH PAYMENT (1% interest per month will be added if not paid by due date)

George Wingo
Fayette County Tax Commissioner
P. O. Box 70
Fayetteville, GA 30214



Tax Payer: BRAELINN VILLAGE 1752, LLC
Map Code: 0611 009 REAL
Description: CROSSTOWN RD
Location: 564 CROSSTOWN
Bill No: 2015-4155
District: 05 PEACHTREE CITY

Phone: (770) 461-3652 Fax: (770) 461-8443 Where Quality Is A Lifestyle

Building Value	Land Value	Acres	Fair Market Value	Due Date	Billing Date	Payment Due	Good Through	Exemptions
12,270,500	7,407,840	44.7800	19,678,340	11/15/2015			11/15/2015	
Entity	Adjusted FMV	Net Assessment	Exemptions	Taxable Value	Millage Rate	Gross Tax	Credit	Net Tax
STATE TAX	19,678,340.00	7,871,336.00		7,871,336.00	.050	393.57		393.57
COUNTY M&O	19,678,340.00	7,871,336.00		7,871,336.00	7.316	57,578.82		40,702.88
COUNTY SALES TAX CREDIT				7,871,336.00	-2.144		-16,876.14	
911 SERVICES	19,678,340.00	7,871,336.00		7,871,336.00	.210	1,652.98		1,652.98
COUNTY SCHOOL M&O	19,678,340.00	7,871,336.00		7,871,336.00	20.000	157,426.72		157,426.72
COUNTY SCHOOL BOND	19,678,340.00	7,871,336.00		7,871,336.00	1.350	10,626.30		10,626.30
CITY - PEACHTREE CITY	19,678,340.00	7,871,336.00		7,871,336.00	10.189	80,201.04		63,178.74
PEACHTREE CITY SALES TAX CRE				7,871,336.00	-3.433		-27,022.30	
PTC-BOND	19,678,340.00	7,871,336.00		7,871,336.00	.314	2,471.60		2,471.60
TOTALS								

This gradual reduction and elimination of the state property tax millage rate is the result of property tax relief passed by the Governor and the House of Representatives and the Georgia State Senate.

Bill No.	Due Date	TOTAL DUE
2015-4155	11/15/2015	266,452.59

Map: 0611 009

Payment good through: 11/15/2015

Printed: 10/02/2015

Location: 564 CROSSTOWN

ON-LINE PAYMENTS AT:
WWW.FAYETTECOUNTYTAXCOMM.COM
THERE WILL BE A FEE OF 2 1/2% IF PAID ONLINE.
YOUR NET MILLAGE RATE IS EQUAL TO YOUR
COUNTY SCHOOL OR CITY MILLAGE RATE LESS THE
APPLICABLE SALES TAX CREDIT.
REFER TO THE REVERSE SIDE OF YOUR TAX BILL FOR
INFORMATION ABOUT STATE AND LOCAL EXEMPTIONS.
IF THIS BILL IS MARKED "APPEAL" IT IS CALCULATED
AT 85% VALUE. AN ADJUSTED BILL WILL BE ISSUED
WHEN YOUR APPEAL IS FINALIZED.

APPEAL SETTLED

20154155*

PAY BY THE DUE DATE TO AVOID PENALTY AND INTEREST CHARGES:

1% INTEREST IS ADDED EVERY MONTH BEGINNING THE FIRST DAY AFTER THE DUE DATE.
10% PENALTY IS ADDED 90 DAYS AFTER THE DUE DATE PLUS FIVE AND ADDITIONAL CHARGES.

Current Due	266,452.59
Penalty	0.00
Interest	0.00
Other Fees	0.00
Previous Payments	0.00
Back taxes	0.00
TOTAL DUE	266,452.59

Printed: 10/02/2015

Braelinn Village 1752, LLC
P.O. Box 6203
Hicksville, NY 11802-6203
USA

Sears Holdings Corp.
Att:VP Real Estate Dept 824RE
3333 Beverly Road
Hoffman Estates, IL 60179
USA

Invoice #	Bill Date
G0524385	JAN/30/2019
Amount Due	Due Date
74,822.57	Upon Receipt
Property ID	Lease ID
SGAP1752/	LKMAR/00
Unit ID	
100	

Please remit check payable to:

Braelinn Village 1752, LLC
P.O. Box 6203
Hicksville, NY 11802-6203
USA

Remove Coupon Above and Return with Your Payment

Tenant Name (DBA)	Unit ID	Store #	Property Name/Address
Kmart	100	STORE #3978	Braelinn Village

Service Description	Amount
Real Estate Tax Reconciliation 2016 Real Estate Tax Reconciliation	74,822.57
Invoice # G0524385 Date: JAN/30/2019 TERMS Due upon receipt Total Due:	\$ 74,822.57

For questions on your invoice, please contact Daweet Dagnachew at 704-362-6155 or DDagnachew@kimcorealty.com.
Please reference your Project ID and your Lease ID.
Please fax all inquiries to 704-367-0629.

Please remit check payable to:
Braelinn Village 1752, LLC
P.O. Box 6203
Hicksville, NY 11802-6203
USA

Recoverable Cost Computation Summary

RE: Project:	SGAP1752/	Braelinn Village	Date	1/30/2019
Tenant:	TSEARH000	Sears Holding Corporation	Page:	1
Lease:	LKMR/00	Kmart		
Space:	001	Unit 100		

Recovery Category:	T12	TAX Close Month - Dec	Recovery from	01/01/16	to	12/31/16
Current Year Tax Assessment						
						300,022.72
Current Year Tax Rate						
						24.94%
Charge Commencement Date						
						1/1/2015
Total Number of Tenant Recovery Days						
						365
Total Number of Days Cost Incurred						
						365
Tenant Recovery Days as Fraction of Total Days (365/365)						
						1.000000
Total Chargeable to Tenant						
						74,822.57
Less Amount Previously Billed for Period						
						0.00
Additional Amount Due or (Credit)						
						74,822.57

2016 Property Tax Statement

George Wingo
Fayette County Tax Commissioner
P. O. Box 70
Fayetteville, GA 30214

MAKE CHECK OR MONEY ORDER PAYABLE TO:
Fayette County Tax Commissioner



*****AUTO**MIXED AADC 373 126 174 30005 1 MB 0 419
BRAELINN VILLAGE 1752, LLC
6060 PIEDMONT ROW DRIVE SOUTH
SUITE 200
CHARLOTTE, NC 28287

Bill No:	Due Date	TOTAL DUE
2016-4220	11/15/2016	300,022.72

Map: 0611 009
Location: 564 CROSSTOWN

Payment Good Through: 11/15/2018
Printed: 09/07/2016

ON-LINE PAYMENTS AT:
WWW.FAYETTECOUNTYTAXCOMM.COM

THERE WILL BE A FEE OF 2 1/2% IF PAID ONLINE.
YOUR NET MILLAGE RATE IS EQUAL TO YOUR
COUNTY SCHOOL OR CITY MILLAGE RATE LESS THE
APPLICABLE SALES TAX CREDIT.

REFER TO THE REVERSE SIDE OF YOUR TAX
BILL FOR INFORMATION ABOUT STATE AND LOCAL
EXEMPTIONS.

IF THIS BILL IS MARKED "APPEAL" IT IS
CALCULATED AT 85% VALUE. AN ADJUSTED BILL
WILL BE ISSUED WHEN YOUR APPEAL IS FINALIZED.

RETURN THIS PORTION WITH PAYMENT
(Interest will be added monthly if not paid by due date)

George Wingo
Fayette County Tax Commissioner
P. O. Box 70
Fayetteville, GA 30214

Phone: (770)461-3652 Fax: (770)461-8443



Tax Payer: BRAELINN VILLAGE 1752, LLC
Map Code: 0611 009 REAL
Description: CROSSTOWN RD
Location: 564 CROSSTOWN
Bill No: 2016-4220
District: 05 PEACHTREE CITY

Building Value	Land Value	Acres	Fair Market Value	Due Date			Payment Good Through	Exemptions
15,121,800	7,407,840	44.7900	22,529,640 ✓	11/15/2016			11/15/2016	
Entity	Adjusted FMV	Net Assessment	Exemptions	Taxable Value	Millage Rate	Gross Tax	Credit	Net Tax
COUNTY M&O	22,529,640.00	9,011,856.00	0.00	9,011,856.00	7.020	63,263.23	0.00	44,311.30
COUNTY SALES TAX CREDIT	22,529,640.00	9,011,856.00	0.00	9,011,856.00	-2.103	0.00	-18,951.93	0.00
911 SERVICES	22,529,640.00	9,011,856.00	0.00	9,011,856.00	.210	1,892.49	0.00	1,892.49
COUNTY SCHOOL M&O	22,529,640.00	9,011,856.00	0.00	9,011,856.00	19.750	177,984.16	0.00	177,984.16
COUNTY SCHOOL BOND	22,529,640.00	9,011,856.00	0.00	9,011,856.00	1.360	12,166.01	0.00	12,166.01
CITY - PEACHTREE CITY	22,529,640.00	9,011,856.00	0.00	9,011,856.00	10.107	91,082.83	0.00	60,884.10
PEACHTREE CITY SALES TAX CRE	22,529,640.00	9,011,856.00	0.00	9,011,856.00	-3.351	0.00	-30,198.73	0.00
PTC-BOND	22,529,640.00	9,011,856.00	0.00	9,011,856.00	.309	2,784.66	0.00	2,784.66
TOTALS					33.292	340,173.38	-49,150.66	300,022.72

A gradual reduction and elimination of the state tax millage rate is the result of property tax relief passed by the Governor, the House of Representatives and the State Senate. Under the property tax relief legislation, the state tax millage rate will be reduced by .05 mill every year until completely eliminated in 2016.

PAY BY THE DUE DATE TO AVOID PENALTY AND INTEREST CHARGES:

INTEREST WILL ACCRUE EACH MONTH AT AN ANNUAL RATE EQUAL TO 3% PLUS THE
FEDERAL PRIME RATE PUBLISHED AS OF JANUARY 1, EACH YEAR.

A 5% PENALTY WILL BE ADDED 120 DAYS AFTER THE DUE DATE AND AT EACH 120
DAY MARK UNTIL A 20% CAP IS REACHED.

Current Due	300,022.72
Penalty	0.00
Interest	0.00
Other Fees	0.00
Previous Payment	0.00
Back Taxes	0.00
TOTAL DUE	300,022.72